



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/420,233	04/11/95	LEWNO	J DON02-P-569

15M1/0718

DONALD S. GARDNER
VAN DYKE, GARDNER, LINN & BURKHART
SUITE 207
2851 CHARLEVOIX DRIVE, S. E.
GRAND RAPIDS MI 49546

EXAMINER	
NILAND, P	
ART UNIT	PAPER NUMBER
1511	#13
DATE MAILED. 07/18/97	

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

a) ☒ is extended to run _____ or continues to run 3 months from the date of the final rejection

b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Appellant's response to the final rejection, filed 6/20/97 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:

a. ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.

b. ☒ They raise new issues that would require further consideration and/or search. (See Note).

c. ☐ They raise the issue of new matter. (See Note).

d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: See attachment.

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

Claims allowed: NONE

Claims objected to: NONE

Claims rejected: 1-130

However;

☐ Appellant's response has overcome the following rejection(s): _____

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because of the reasons stated in the final rejection.

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☒ Other

Attachment

PTOL-1449

of 6/20/97

Information Disclosure Statement

Patrick Niland
PATRICK NILAND
PRIMARY EXAMINER
ART UNIT 1511

Art Unit:

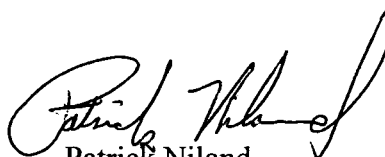
The amendment after final rejection of 6/20/97 will not be entered because this amendment requires further consideration and search. The previously considered claims did not require the limitations of the applicant's proposed amendment after final rejection. In view of the receipt of the Repp et al. patent in the IDS of 6/20/97, the amendment after final rejection requires further consideration with regard to what the adhesives of column 7, line 19 to column 8, line 40 are, particularly in view of the fact that the instant claims do not recite the specific ingredients and method of making the polyurethane adhesive of the instant claims. The specifics of the instantly claimed adhesives are expected to materially affect their performance. Furthermore, it is not seen that Repp et al. excludes two component polyurethane adhesives (column 8, lines 39-41). Preferred mode does not teach away from non-preferred modes. It is not seen that the instantly claimed language excludes structural members such as the channels in which the front windshields of a car sit. The angle of the windshield reduces the force applied against the adhesive force and the channel provides some support for the windshield. While there is typically some kind of trim on the outer portion of the windshield, it is distinct from the "bonded load bearing attachment member". There are also issues as to what the ordinary skilled artisan understands about the differences between the one and two component adhesives. This issue requires a further consideration of the prior art cited and a further search of the composition prior art, which was not required in examination of the previously examined claims. Thus, the instant claims are not clearly allowable and the proposed amendment requires further consideration and search.

Art Unit:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Niland on Monday to Friday from 9:30 to 6:00 whose telephone number is (703) 308-3510. If the examiner cannot be reached and the inquiry is urgent, call Paul Michl at (703) 308-2451. Direct any faxes to members of Art Unit 1511 to (703) 305-5433.

pn

July 17, 1997

A handwritten signature in black ink, appearing to read 'Patrick Niland', with a stylized flourish at the end.

Patrick Niland
Patent Examiner
Art Unit 1511